REMARKS

Reconsideration and allowance of the above referenced application are respectfully requested.

Formal drawings will be submitted in due course. In addition, a drawing change to figure 4 is added herein to add descriptions of the specific boxes noted in figure 4.

The title stands objected to as not being descriptive. In response, a new title of "Techniques of utilizing unused bandwidth in a system" has been substituted. However, should the examiner have any suggestions for a title which would be more descriptive, these suggestions would be appreciated.

The disclosure stands objected to as not including a summary section. However, it is respectfully suggested that rule 73 indicates that a summary "may" be provided, and in fact recognizes that a summary need not be specifically provided. Rule 73 states that a summary should "when set forth, be commensurate with the invention as claimed", therefore clearly indicating that a summary need not be presented in each application. Intel Corporation has requested that their applications not include summaries, and therefore no summary is presented.

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Claims 6 and 7 stand objected to due to informalities.

These informalities have been corrected herein.

Claims 1, 3, 6-8, 10, 13-15, 17, 20, 21 and 23 stand

rejected under 35 USC 102 as allegedly being anticipated by U.S.

patent No. 5,884,037, issued to Aras. Claim 1 has been amended

to emphasize its patentable distinctions, and as such, it is

respectfully suggested that this rejection is incorrect.

Aras teaches a system which predicts network usage on a

network using a disclosed model. The model predicts future

usage based on past and current usage, and therefore Aras

suggests that the bandwidth can be more efficiently allocated

using this prediction.

In contrast, claim 1 specifies determining whether the

system is actually using the allocated bandwidth, and if not,

broadcasting additional information using that unused portion.

Aras attempts to predict the actual bandwidth which will be

used. In contrast, the present system broadcasts additional

information using the unused portion of the previously allocated

bandwidth.

There is a significant difference between claim 1 and the

prior art. Aras would attempt to determine the actual bandwidth

that will be used. This may be correct or incorrect, but in any

case, this is the estimate that is used. Aras teaches nothing

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about the actual, that is Aras does not teach determining whether the information that is scheduled to be broadcast is actually using the amount of bandwidth that was allocated. Aras relates only to the reservation manager, and teaches nothing about reusing the bandwidth which was previously allocated but not previously used. Therefore, it is apparent that Aras does not teach the subject matter of these claims, and therefore that claim 1 should be allowable along with the claims which depend therefrom.

The rejection alleges that Aras teaches determining whether the bandwidth is being fully utilized, referring to sections like column 2, lines 20-64. However, this section of the disclosure, like all other sections of the disclosure, describe a reservation system. For example, column 2 lines 34-35 states that the client 501 specifies that it application needs 2 Mb of bandwidth. The amount of bandwidth is allocated. Admittedly, section 2 lines 49-60 describes what happens if a system uses more bandwidth than has been allocated. However, this teaches nothing about allocating the unused portion of the bandwidth, as claimed.

Claims 2, 4 and 5 stand rejected over Aras in view of Hall. However, Hall teaches a power factor control circuit in a control loop. This has absolutely nothing to do with network

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allocation.   The rejection refers to column lines 28-30 of Hall,

but it's disclosure relates to amount of overshoot of voltage

into control system.   This has nothing to do with allocating

unused bandwidth in a network system.

Specifically, claim 2 specifies limiting the amount of

additional information to a preset percentage of the total

available bandwidth.   This may enable more efficient use of the

system, since it enables leaving some leeway for the information

that was previously allocating bandwidth.   If all of the

previously allocated, but unused, bandwidth was used for other

information, the allocated application could suffer.

Claim 2 defines limiting the amount of additional

information to a preset percentage of the available bandwidth.

Therefore, claim 2 should be even further allowable.

Claim 8 includes similar subject matter, and recites

determining whether the information scheduled to be broadcast

"actually utilizes all bandwidth previously allocated...".   As

discussed above, this is not taught or suggested by the cited

prior art, and therefore claim 8 should be additionally

allowable for this reason.   Claim 9 should be allowable for

similar reasons to those discussed above with respect to claim

8.   The remaining claims should be allowable for analogous

reasons.

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Claim 15 should also be allowable for analogous reasons.

Claim 20 specifies a bandwidth pipe with a monitor that determines the bandwidth usage in the pipe. As described above, the cited prior art models the usage but does not actually detect the usage and allocate unused portions. Therefore, claim 21 should be allowable for similar reasons to those discussed above.

Claim 23 should be allowable for similar reasons.

In view of the above amendments and remarks, therefore, all of the claims should be in condition for allowance. A formal notice that effect is respectfully solicited.

Each of the dependent claims include additional limitations, and each should be allowable for the reasons stated above, as well as on their own merits.
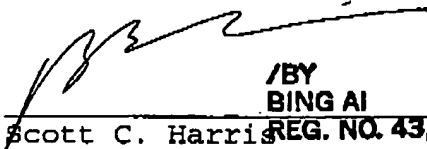
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Respectfully submitted,

/BY
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